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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 ISAAC D. MOSLEY,
12 Petitioner,
13 v.
14 PAUL THOMPSON, et al.,
15 Respondents.
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No. 2:21-CV-2138-KJM-DMC-P

FINDINGS AND RECOMMENDATIONS

17 Petitioner, a federal prisoner proceeding pro se, brings this petition for a writ of
18 habeas corpus under 28 U.S.C. § 2241. Pending before the Court is Respondents' unopposed
19 motion to dismiss, see ECF No. 14.

20 Respondents argue the case should be dismissed for lack of jurisdiction. See ECF
21 No. 14. After Petitioner failed to file an opposition within the time specified by the Local Rules,
22 the Court issued a minute order on July 19, 2022, advising Petitioner that failure to oppose the
23 motion could be construed as consent to the relief requested. See ECF No. 15. The minute order
24 provided an additional 30 days within which to file an opposition. See id. To date, Petitioner has
25 not filed an opposition, and the Court now construes Petitioner's failure to oppose Respondents'
26 motion as consent to the relief requested. See Local Rule 230(c), (l).

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Based on the foregoing, the undersigned recommends that:

1. Respondents' unopposed motion to dismiss, ECF No. 14, be granted; and
2. All other pending motions, ECF Nos. 12 and 13, be denied.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days after being served with these findings and recommendations, any party may file written objections with the Court. Responses to objections shall be filed within 14 days after service of objections. Failure to file objections within the specified time may waive the right to appeal. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: September 2, 2022



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE